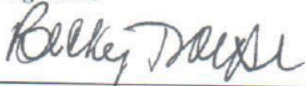




United States Environmental Protection Agency POSITION DESCRIPTION COVERSHEET		1. DUTY LOCATION Washington, DC		2. POSITION NUMBER N090514	
3. CLASSIFICATION ACTION: a. Reference of Series and Date of Standards Used to Classify this Position PCS for General Attorney GS-0905; TS-18 05/74, 1TS-77 2/98, TS-29 08/60, TS-24 10/59.					
Official Allocation	b. Title	c. Pay Plan	d. Series	e. Grade	f. CLC
Attorney-Adviser	Attorney-Adviser	GS	0905	12	001
4. Supervisor's Recommendation	Attorney-Adviser	GS	0905	12	
5. ORGANIZATIONAL TITLE OF POSITION (if any) Attorney-Adviser		6. NAME OF EMPLOYEE Nicole M. Rementer			
7. ORGANIZATION (Give complete organizational breakdown)		e.			
a. U.S. ENVIRONMENTAL PROTECTION AGENCY		f.			
b. Office of General Counsel		g.			
c. FOIA Expert Assistance Team (FEAT) Office		h. Employing Office Location Washington, DC			
d.		i. Organization Code CK000000			
8. SUPERVISORY STATUS					
<input type="checkbox"/> [2] Supervisor or Manager. Position requires the exercise of supervisory or managerial responsibilities that meet, at least, the minimum requirements for application of the General Schedule Supervisory Guide (GSSG) or similar standards for minimum supervisory responsibility specified in other position classification standards. <input type="checkbox"/> [4] Supervisor. Position meets the definition of Supervisor in 5.U.S.C. 7103(a)(10), but does not meet the minimum requirements for application of the GSSG. <input type="checkbox"/> [5] Management Official. Position meets the definition of Management Official in 5.U.S.C. 7103(a)(11), but does not meet the GSSG definition of Supervisor/Manager or the definition of Supervisor in 5.U.S.C. 7103(a)(10). <input type="checkbox"/> [6] Lead Position leads a team performing one-grade interval work and meets the minimum requirements for application of Part I of the Work Leader Grade Evaluation Guide (WLGE) or is under a wage system and meets similar minimum requirements as specified by those job standards or other directives of the applicable pay system. <input type="checkbox"/> [7] Team Leader. Position leads a team performing two-grade interval work and meets the minimum requirements for application of Part II of the WLGE. <input checked="" type="checkbox"/> [8] All Other Positions. Position does not meet any of the above definitions. This is a non-supervisor/non-managerial position.					
9. SUPERVISORY CERTIFICATION I certify that this is an accurate statement of the major duties and responsibilities of this position and its organizational relationships and that the position is necessary to carry out governmental functions for which I am responsible. The certification is made with the knowledge that this information is to be used for statutory purposes relating to appointment and payment of public funds, and that false or misleading statements may constitute violations of such statutes or their implementing regulations.					
a. Typed Name and Title of Immediate Supervisor Becky Dolph, Senior Counsel		d. Typed Name and Title of Second-Level Supervisor Kevin S. Minoli, Principal Deputy General Counsel			
b. Signature 	c. Date 7/25/16	e. Signature 	f. Date 8/23/16		
10. OFFICIAL CLASSIFICATION CERTIFICATION: I certify that this position has been classified/graded as required by Title 5, U.S. Code, in conformance with standards published by the U.S. Office of Personnel Management or, if no published standards apply directly, consistently with the most applicable published standards.					
a. Promotion Potential <input type="checkbox"/> This position has no promotion potential <input checked="" type="checkbox"/> If position develops as planned and employee progresses satisfactorily, this position has known promotion potential to grade: <u>14</u>					
(b) (6)		c. Financial Disclosure Form <input checked="" type="checkbox"/> OGE-450 Required <input type="checkbox"/> OGE-278 Required <input type="checkbox"/> No financial disclosure forms required	d. "Identical, Additional" (IA) Allocation This position <input type="checkbox"/> may be IA'ed <input checked="" type="checkbox"/> may not be IA'ed <input type="checkbox"/> is limited to current incumbent	e. FLSA Determination <input type="checkbox"/> NONEXEMPT <input checked="" type="checkbox"/> EXEMPT* (*check exemption category) <input type="checkbox"/> Administrative <input checked="" type="checkbox"/> Professional <input type="checkbox"/> Executive	f. Functional Classification Code n/a
g. Bargaining Unit Code 1053	h. Check, if applicable: <input type="checkbox"/> Medical Monitoring Required <input checked="" type="checkbox"/> Extramural Resources Management Duties (<u>0</u> % of time) <input type="checkbox"/> This position is subject to random drug testing (<u> </u>)		i. Classifier's Signature 		j. Date 8/12/16
11. REMARKS (b) (6)					

ATTORNEY ADVISER
GS -905-12

I. SUPERVISORY CONTROLS

This position is located in the Office of General Counsel (OGC), FOIA Expert Assistance Team (FEAT) Office, under the administrative supervision of the Senior Counsel, FEAT. As appropriate, may serve under the guidance of one or more senior attorneys as a member of the Agency's FOIA Expert Assistance Team (FEAT) Office. Receives preliminary and established instructions as to methods of approach, source material available, and Agency policy and precedent. Completed written work is expected to be accurate with respect to legal citations and facts; work is reviewed for soundness of approach and application of legal principles. Recommendations are reviewed by the supervisor.

II. DUTIES AND RESPONSIBILITIES

Incumbent works on legal matters arising under the Freedom of Information Act (FOIA) and acts as legal counsel in connection with Agency program offices on FOIA issues. In particular, incumbent provides national legal advice in the areas of FOIA matters. In addition to handling policy and regulatory issues presented under these programs, incumbent works on related administrative and judicial litigation and Congressional initiatives, inquiries and briefings.

Prepares tentative drafts of letters, legal memoranda and legal documents for higher-graded attorneys in administrative and judicial proceedings.

Incumbent conducts research of laws, legal opinions, and precedent cases for complex and difficult legal issues for which the legal issue researched is a segment of an extremely complex case.

Incumbent analyzes factual and legal issues presented to determine what further facts are needed and what legal sources are applicable. Incumbent researches and interprets policies, procedures, regulations and statutes relating to the provisions of FOIA and other appropriate Acts, court decisions and administrative rulings. Incumbent searches case reports, letters, memoranda and legal documents for use by higher-graded attorneys in the preparation of opinions, legislative reports, briefs and other legal documents; and compiles legislative history in connection with pending litigation.

Incumbent initiates contacts with program officials, and other persons having knowledge of the facts involved in the problem or case under study. Obtains information and/or legal references pertinent to the problem under study; studies legal precedents; and prepares recommendations for review of supervisor. Incumbent has occasional contact with the regulated community, general, public and court personnel.

Incumbent participates in one or more practice groups. Identifies and assesses overlapping legal issues in the assigned group to ensure a consistent, coherent, and sound approach to legal counseling.

Shares information and identifies issues which may be relevant to the work of other group members. Participates in discussions related to significant issues in the assigned area. Trains, mentors, or assists attorneys and/or paralegal specialist within the assigned area.

Discusses significant developments or potentially relevant issues with the practice group leader or group members. Incumbent independently makes final determinations on legal issues that do not warrant the attention of the practice group leader.

As requested, serves as a team leader or participates as a member of a team addressing administrative, managerial, and cross-cutting issues or special projects.

Performs other duties as assigned.

III. QUALIFICATIONS

The incumbent has an LL.B. or J.D. degree from an accredited law school; must be admitted to practice before the highest court of a State, U.S. territory, the District of Columbia, or the commonwealth of Puerto Rico; and must maintain active status as a member of the bar of one of these jurisdictions. The incumbent has experience in providing legal advice and counsel at EPA, other Federal, state or local agencies, or in private practice.

ATTORNEY ADVISER
GS-905-13

I. SUPERVISORY CONTROLS

This position is located in the Office of General Counsel (OGC), FOIA Expert Assistance Team (FEAT) Office, under the administrative supervision of the Senior Counsel, FEAT. As appropriate, may serve under the guidance of one or more senior attorneys as a member of the Agency's FOIA Expert Assistance Team (FEAT) Office. The incumbent has wide latitude in exercising judgment, initiating and taking action in conducting cases, developing legal positions, and reviewing regulatory matters. No specific guidance is provided and the completed work product is expected to be legally sufficient. Recommendations are accepted as authoritative and are tantamount to a final decision.

II. DUTIES AND RESPONSIBILITIES

Incumbent is responsible for legal matters arising under the Freedom of Information Act and acts as legal counsel in connection with the Office of General Counsel. Specifically, incumbent is responsible for legal counsel in the areas of FOIA issues. Incumbent provides legal counsel in handling policy and regulatory issues presented under these programs, and in related judicial litigation and Congressional initiatives, inquiries and briefings.

Incumbent conducts and/or directs the preparation of research of laws, legal opinions and precedent cases of extremely complex and difficult legal issues which present unprecedented and controversial problems and issues and which are highly visible. Incumbent prepares legal memoranda or reports that clearly state the factual basis of the proposed action, explain the legal issues involved and justify all recommendations and conclusions.

Incumbent participates in preparation and presentation of cases before appellate courts and in this capacity participates in settlement discussions, prepares some formal filings and examines others for legal sufficiency and consistency with Agency policies, and prepares, presents or provides technical guidance for litigation.

Incumbent initiates contacts with program officials, and other persons having knowledge of the facts involved in the problem or case under study; obtains information and/or legal references pertinent to the problem under study; studies legal precedents; and prepares recommendations.

Incumbent has independent contacts with congressional staffs, industry representatives, appointed state officials, environmental groups, elected federal, state and/or local officials, and Department of Justice (DOJ) or U.S. Attorney office personnel and court personnel.

Incumbent assists higher-graded attorneys, or higher-level Office of General Counsel officials in defense of Agency regulations and actions challenged in litigation and assists in

arguing or may argue legal and factual matters before administrative agencies, federal trial judges and appellate court judges. Incumbent prepares and assists in filing required litigation-related documents including motions, memoranda, briefs, proposed findings and conclusions. Incumbent's personal work contacts within the Agency include program managers and their staffs.

Incumbent participates in one or more practice groups. Identifies and assesses overlapping legal issues in the assigned group to ensure a consistent, coherent, and sound approach to legal counseling.

Incumbent shares information and identifies issues which may be relevant to the work of other group members. Participates in discussions related to significant issues in the assigned area. Trains, mentors, or assists attorneys and/or paralegal specialist within the assigned area.

Incumbent discusses significant developments or potentially relevant issues with the practice group leader or group members. Incumbent independently makes final determinations on legal issues that do not warrant the attention of the practice group leader.

As requested, serves as a team leader or participates as a member of a team addressing administrative, managerial, and cross-cutting issues or special projects.

Performs other duties as assigned.

III. QUALIFICATIONS

The incumbent has an LL.B. or J.D. degree from an accredited law school; must be admitted to practice before the highest court of a State, U.S. territory, the District of Columbia, or the commonwealth of Puerto Rico; and must maintain active status as a member of the bar of one of these jurisdictions. The incumbent has substantial experience in providing legal advice and counsel at EPA, other Federal, state or local agencies, or in private practice.

ATTORNEY ADVISER
GS-905-14

I. SUPERVISORY CONTROLS

This position is located in the Office of General Counsel (OGC), FOIA Expert Assistance Team (FEAT) Office, under the administrative supervision of the Senior Counsel, FEAT. As appropriate, may serve under the guidance of one or more senior attorneys as a member of the Agency's FOIA Expert Assistance Team (FEAT) Office. The incumbent has wide latitude in exercising judgment, initiating action, conducting cases, developing legal position and reviewing regulatory matters. No specific guidance is provided when an assignment is made and the complete work product is expected to be legally sufficient. The incumbent is considered an authority in the assigned work area. Recommendations are accepted as authoritative and are tantamount to a final decision.

II. DUTIES AND RESPONSIBILITIES

Incumbent is an expert in legal matters arising under the Freedom of Information Act (FOIA). Specifically, incumbent acts as legal counsel and is responsible for all legal issues related to FOIA in assigned areas. In addition, the incumbent advises the staff of the client program offices on the implementation of these actions and rulemakings. Incumbent participates in proceedings that substantially broaden or restrict major EPA activities (e.g., regulations, programs, and legislation).

Incumbent conducts legal research and develops legal opinions on extremely complex and difficult legal issues that present unprecedented and controversial problems and issues and which are highly visible. Incumbent prepares legal memoranda or reports that clearly state the factual basis of the proposed action, explain the legal issues involved and justify all recommendations and conclusions.

Incumbent acts as principal EPA attorney in charge of the preparation and presentation of cases before the administrative tribunals or before trial or appellate courts and in this capacity participates in pretrial and prehearing conferences, examines formal findings for legal sufficiency, and prepares, presents or provides technical guidance for litigation. Incumbent initiates contacts with program officials and other officials having knowledge of the facts involved in the problem or case under study; obtains information and/or legal references pertinent to the problem under study; studies legal precedents; and prepares recommendations which are accepted as authoritative and tantamount to a final decision. Incumbent has independent contacts with industry representatives, appointed State officials, environmental groups, elected Federal, State, and/or local officials, and Department of Justice or U.S. Attorney personnel and court personnel as lead EPA attorney.

Incumbent works with senior attorneys; higher-level OGC officials and DOJ attorneys in defending Agency regulations and actions challenged in litigation and assists in arguing or may

argue legal and factual matters before administration agencies, Federal trial judges and appellate court judges; prepares and files required litigation-related documents including motions, memoranda, briefs, proposed findings and conclusions and other materials. Incumbent's personal work contacts within the Agency include Agency attorneys at all levels, Assistant Administrators and Regional Administrators.

Incumbent participates in one or more groups. Identifies and assesses overlapping legal issues in the assigned group to ensure a consistent, coherent, and sound approach to legal counseling.

Incumbent shares information and identifies issues which may be relevant to the work of other group members. Participates in discussions related to significant issues in the assigned area. Trains, mentors, or assists attorneys and/or paralegal specialist within the assigned area.

Incumbent discusses significant developments or potentially relevant issues with the practice group leader or group members. Incumbent independently makes final determinations on legal issues that do not warrant the attention of the practice group leader.

As requested, incumbent may serve as a team leader or participates as a member of a team addressing administrative, managerial, and cross-cutting issues or special projects.

Performs other duties as assigned.

III. QUALIFICATIONS

The incumbent has an LL.B. or J.D. degree from an accredited law school; must be admitted to practice before the highest court of a State, U.S. territory, the District of Columbia, or the commonwealth of Puerto Rico; and must maintain active status as a member of the bar of one of these jurisdictions. The incumbent has substantial experience in providing legal advice and counsel at EPA, other Federal, state or local agencies, or in private practice.